

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Valerie J. Ryan, Chienkuo Ronnie Yuan and Guy A. Crosby

Continuation Application of
Application No.: 09/306,530
Filed: May 6, 1999

Title: Methods for Lowering Viscosity of Glucomannan Compositions, Uses and Compositions

<p>Date: <u>January 16, 2004</u></p> <p>EXPRESS MAIL LABEL NO. <u>EV 214934391 US</u></p>

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☐ Copies of the cited references are enclosed.
- ☐ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☒ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. 09/306,530, to which priority under 35 U.S.C. 120 is claimed. The earlier application contains copies of the cited references.
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☒ The "concise explanation" requirement (non-English reference) for reference AT2 under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☒ the English language abstract filed in U.S. Application No. 09/306,530.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Pamela A. Torpey
Pamela A. Torpey
Registration No.: 45,736
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: January 16, 2004

PTO-1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION January 16, 2004 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 1022.1157-013	APPLICATION NO. Continuation of 09/306,530	
	FIRST NAMED INVENTOR Valerie J. Ryan, <i>et al.</i>		FILING DATE
	EXAMINER	CONFIRMATION NO.	GROUP

U.S. PATENT DOCUMENTS				
EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA	5,733,593	03/31/1998	Shelso <i>et al.</i>
	AB	4,894,250	01/16/1990	Musson <i>et al.</i>
	AC	5,603,976	02/18/1997	Share <i>et al.</i>
	AD	5,308,636	05/03/1994	Tye <i>et al.</i>
	AE	4,746,528	05/24/1988	Prest <i>et al.</i>
	AF	4,427,704	01/24/1984	Cheney <i>et al.</i>
	AG	4,844,922	07/04/1989	Uemura <i>et al.</i>
	AH	4,582,714	04/15/1986	Ford <i>et al.</i>
	AI			
	AJ			
	AK			
	AA2			
	AB2			
	AC2			
	AD2			
	AE2			
	AF2			
	AG2			
	AH2			
	AI2			
	AJ2			
	AK2			
	AA3			
	AB3			
	AC3			

EXAMINER	DATE CONSIDERED
----------	-----------------

PTO-1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION January 16, 2004 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 1022.1157-013	APPLICATION NO. Continuation of 09/306,530	
	FIRST NAMED INVENTOR Valerie J. Ryan, <i>et al.</i>		FILING DATE
	EXAMINER	CONFIRMATION NO.	GROUP

FOREIGN PATENT DOCUMENTS					
		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO
	AL	0 898 900 A2	03/03/1999	Societe Des Produits Nestle S.A.	
	AM	WO 90/15544	12/27/1990	FMC Corporation	
	AN	EP 0 185 511 A	06/25/1986	Mars G.B. Limited	
	AM				
	AN				
	AO				
	AP				
	AQ				
	AL2				
	AM2				
	AN2				
	AO2				
	AP2				
	AQ2				
	AL3				
	AM3				
	AN3				
	AO3				
	AP3				
	AQ3				
	AL4				
	AM4				
	AN4				
	AO4				
	AP4				
	AQ4				

EXAMINER	DATE CONSIDERED
----------	-----------------

PTO-1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION January 16, 2004 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 1022.1157-013		APPLICATION NO. Continuation of 09/306,530	
	FIRST NAMED INVENTOR Valerie J. Ryan, <i>et al.</i>		FILING DATE	
	EXAMINER	CONFIRMATION NO.	GROUP	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
AR	Crosby, G., "Nutritional Flour Power", <i>Ingredients Health & Nutrition</i> , 5:(1999).	
AS	A. Arvill and L. Bodin, "Effect of Short-term Ingestion of Konjac Glucomannan on Serum Cholesterol in Healthy Men", <i>Am. J. Clin. Nutr.</i> , 61:585-599 (1995).	
AT	Jenkins <i>et al.</i> , "Dietary Fibres, Fibre Analogue, and Glucose Tolerance: Importance of Viscosity", <i>British Medical Journal</i> , 1:1392-1394 (May 27, 1978).	
AU	Yoshimura <i>et al.</i> , "Effects of Konjac-Glucomannan on the Gelatinization and Retrogradation of Corn Starch As Determined by Rheology and Differential Scanning Calorimetry", <i>J. Agric. Food Chem.</i> , 44(10):2970-2976 (1996).	
AV	Ide <i>et al.</i> , "Contrasting Effects of Water-Soluble and Water-Insoluble Dietary Fibers on Bile Acid Conjugation and Taurine Metabolism in the Rat", <i>Lipids</i> , 25(6):335-340(1990).	
AW	Nutricol® Konjac, FMC (1994).	
AX	LaBell, F., "Flour from Oriental Root Yields Heat-Stable Gels, Provides High Viscosity", <i>Food Processing</i> , November 1989.	
AY	Tye, R., "Konjac Flour: Properties and Applications", <i>Food Technology</i> , March 1991.	
AZ	S.E. Davis and B.A. Lewis, "Physiological Effects of Mannans, Galactomannans, and Glucomannans", <i>Physiological Effects of Food Carbohydrates</i> , 296-311 (1975).	
AR2	Shimisu, H. <i>et al.</i> , "Effects of Dietary Konjac Mannan on Serum and Liver Cholesterol Levels and Biliary Bile Acid Composition in Hamsters", <i>J. Pharmacobio-Dyn.</i> , 14:371-375 (1991).	
AS2	Doi, K., "Effect of Konjac Fibre(glucomannan) on Glucose and Lipids", <i>European Journal of Clinical Nutrition</i> , 49(3):S190-S197 (1995).	
AT2	"Physiological Active Glucomannan Drink Mix Glucomannan Granule Water Liquefy Obtain Konjak Paste Enzyme Heat Sterile", <i>Database WPI</i> , 323042 (1993) (Japan Patent Abstract: JP5199856).	
AU2		

EXAMINER	DATE CONSIDERED
----------	-----------------